

SENATE BILL No. 488

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-33-17.

Synopsis: DeKalb superior courts. Establishes an additional superior court in DeKalb County. Eliminates the DeKalb County small claims referee. (The introduced version of this bill was prepared by the commission on courts. DeKalb County is ranked ninth by severity of need in the 2003 Weighted Caseload Statistical Report.)

Effective: July 1, 2005.

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January 18, 2005, read first time and referred to Committee on Judiciary.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 488

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 33-33-17-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) There ~~is~~ **are**
3 established ~~a court~~ **two (2) courts** of record to be known as the:
4 (1) DeKalb superior court **No. 1; and**
5 (2) **DeKalb superior court No. 2.**
6 (b) ~~The~~ **Each** DeKalb superior court is a standard superior court as
7 described in IC 33-29-1.
8 (c) DeKalb County comprises the judicial district of ~~the~~ **each**
9 superior court.
10 SECTION 2. IC 33-33-17-3 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. ~~The~~ **Each** DeKalb
12 superior court has one (1) judge who shall hold sessions in:
13 (1) the DeKalb County courthouse in Auburn; or
14 (2) other places in the county as the board of county
15 commissioners of DeKalb County may provide.
16 SECTION 3. IC 33-33-17-6 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 6. ~~The~~ **Each** DeKalb



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superior court has the same jurisdiction as the DeKalb circuit court.

SECTION 4. IC 33-33-17-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. ~~The~~ **Each** DeKalb superior court has a standard small claims and misdemeanor division.

SECTION 5. IC 33-33-17-5 IS REPEALED [EFFECTIVE JULY 1, 2005].

SECTION 6. [EFFECTIVE JULY 1, 2005] (a) **Notwithstanding IC 33-33-17-2, as amended by this act, the DeKalb superior court No. 2 is not established until January 1, 2006.**

(b) **The governor shall appoint a person under IC 3-13-6-1(c) to serve as the initial judge of the DeKalb superior court No. 2 added by IC 33-33-17-2, as amended by this act.**

(c) **The term of the initial judge appointed under subsection (b) begins January 1, 2006, and ends December 31, 2006.**

(d) **The initial election of the judge of the DeKalb superior court added by IC 33-33-17-2, as amended by this act, is the general election on November 7, 2006. The term of the initially elected judge begins January 1, 2007.**

(e) **Notwithstanding the repeal of IC 33-33-17-5 by this act, the part-time small claims referee appointed under IC 33-33-17-5 shall continue to assist the DeKalb superior court through December 31, 2005.**

(f) **This SECTION expires January 2, 2007.**

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